HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.No.8892 of 2006

Dt.28.4.2006

Between:

KPC Sekhar Babu and another … Petitioners

And

The Vice Chairman and Commissioner,
A.P. Housing Board, Hyderabad and
another
…Respondents

ORDER:

Petitioners question the impugned action of the 1st respondent in not disposing of the representation dt.30.11.2005 filed by petitioner No.1 for registration of flat bearing No.B9/F3 at Sanjeeva Reddy Nagar, A.P.Housing Board Colony, and also for refund of the enhanced cost and to consider the case as per Board resolution dt.28.11.2002 and not conveying and not registering the subject flat as illegal and

arbitrary.

The 2nd petitioner was allotted a flat bearing No.B9/F3 vide letter No.997/J1/72, dt.7.10.1972 and possession of the said flat was delivered in favour of the 2nd petitioner in 1977 after payment of certain instalments. It is stated that the 2nd petitioner has entered an agreement to transfer the said flat in favour of the first petitioner and the first petitioner paid the remaining instalments and filed a representation on 30.11.2005 before the first respondent requesting to apply APHB resolution dt.28.11.2002 by collecting Rs.10,000/- as environmental improvement fee and register the flat in favour of the first petitioner, who is a third party, as done in similar cases. It is also further requested to consider for the refund of the excess instalments made by them.

Heard the learned counsel for the petitioner as well as the learned standing counsel appearing on behalf of the respondents.

The learned standing counsel appearing on behalf of the respondents submits that the respondents are going to consider the representation of the petitioner.

I am not inclined to express any opinion on the merits of the case. However, as the representation dt.30.11.2005 filed by the first petitioner is pending before the first respondent, the first respondent is directed to consider and dispose of the said representation in respect of Flat No.B9/F3 for 3rd party registration in favour of the 1st petitioner, within a period of six week from the date of receipt of a copy of this order, after giving reasonable opportunity to both the petitioners.

The writ petition is accordingly disposed of. No costs.

V.ESWARAIAH, J.

28.4.2006

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